

AMENDED IN SENATE MARCH 22, 2000

SENATE BILL

No. 1434

Introduced by Senator Alarcon

February 3, 2000

An act to amend Section 19826 of the Health and Safety Code, relating to building permits.

LEGISLATIVE COUNSEL'S DIGEST

SB 1434, as amended, Alarcon. Building permits.

Existing law prohibits a city or county from issuing a building permit without a properly executed declaration by the owner, applicant, contractor, or agent of the owner, contractor, or applicant.

This bill would provide that, ~~at the option of the city or county, the~~ a properly executed declaration may include a ~~signature produced by facsimile transmission~~ declaration signed and transmitted by facsimile or other electronic means. It would also provide that an application for a building permit shall be construed as a "transaction" and all declarations required shall be construed as records under the Uniform Electronic Transactions Act.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 19826 of the Health and Safety
- 2 Code is amended to read:

1 19826. (a) No city or county, whether general law or
2 chartered, shall issue a building permit which does not
3 contain all applicable declarations required by Section
4 19825 properly executed by the owner, applicant,
5 contractor, or agent of the owner, contractor, or
6 applicant. The properly executed declarations shall be a
7 condition for issuance of the building permit ~~and, at the~~
8 ~~option of the city or county, may include a signature~~
9 ~~produced by facsimile transmission. However, no city or.~~
10 *A properly executed declaration may include a*
11 *declaration signed and transmitted by facsimile or other*
12 *electronic means. However, no city or county or its*
13 *employees shall be responsible for determining the truth*
14 *or accuracy of the declarations, and no monetary liability*
15 *on the part of, and no cause of action for damages against*
16 *them, shall arise from their failure to verify the truth or*
17 *accuracy of the declarations.*
18 (b) A city or county may require that within 15 days
19 of issuance, the issuing agency of the city or county
20 deliver copies of all building permits to the assessor of the
21 county.
22 (c) For purposes of this section, ~~“facsimile~~
23 ~~transmission” means the transmission of a document by~~
24 ~~a system that encodes a document into electrical signals~~
25 ~~and transmits the electrical signals to print a duplicate of~~
26 ~~the original document at the receiving end. an~~
27 *“application for a building permit” shall be construed as*
28 *a “transaction” and all declarations required shall be*
29 *construed as “records” under Title 2.5 (commencing with*
30 *Section 1633.1) of Part 2 of Division 3 of the Civil Code.*